

Bureau of Land Management, Interior

§ 3487.1

(B) Any other factors BLM finds relevant to this requirement.

(3) All single Federal leases that are included in more than one LMU shall be segregated into two or more Federal leases. If only a portion of a Federal lease is included in an LMU, the remaining land shall be segregated into another Federal lease. The authorized officer will consult with the authorized officer about the segregation of such Federal leases. The operator/lessee may apply to relinquish any such portion of a Federal lease under 43 CFR 3452.1.

(4) The operator/lessee has agreed to the LMU stipulations required by the authorized officer for approval of the LMU.

(5) The LMU does not exceed 25,000 acres, including both Federal and non-Federal lands.

(6) A lease that has not produced commercial quantities of coal during the first 8 years of its diligent development period can be included in an LMU only if at the time the LMU application is submitted:

(i) A portion of the LMU under consideration is included in a SMCRA permit approved under 30 U.S.C. 1256; or

(ii) A portion of the LMU under consideration is included in an administratively complete application for a SMCRA permit.

(g) The authorized officer will state in writing the reasons for the decision on an LMU application.

(h) *Modification of an LMU.* (1) The boundaries of an LMU may be modified either upon application by the operator/lessee and approval of the authorized officer after consultation with the responsible officer of the surface managing agency, or by direction of the authorized officer after consultation with the authorized officer. In accordance with § 3482.2(a)(3) of this title, the authorized officer may adjust only the estimate of LMU recoverable coal reserves pursuant to departmental actions or orders that modify the LMU boundaries, or upon approval of an operator/lessee application.

(2) Upon application by the operator/lessee, an LMU may be enlarged by the addition of other Federal coal leases or with interests in non-Federal coal deposits, or both. The LMU boundaries

may also be enlarged as the result of the enlargement of a Federal lease in the LMU, pursuant to 43 CFR part 3432. An LMU may be diminished by creation of other separate Federal leases or LMU's or by the relinquishment of a Federal lease or portion thereof, pursuant to 43 CFR part 3452.

(3) In considering an application for the modification of an LMU, the authorized officer shall consider modifying the LMU stipulations, including the production requirement for commercial quantities.

(4) The authorized officer will not extend the 40-year period in which the reserves of the entire LMU must be mined, as specified at paragraph (e)(6) of this section, because of the enlargement of an LMU or because of the modification of a resource recovery and protection plan.

(i) *Administration of LMU operations.* An LMU shall be administered in accordance with the following criteria:

(1) Where production from non-Federal lands in the LMU is the basis, in whole or in part, for satisfaction of the requirements for diligent development or continued operation, the operator/lessee shall provide a certified report of such production, as determined by the authorized officer. The certified report shall include a map showing the area mined and the amount of coal mined.

(2) *Diligent development, continued operation and advance royalty.* Operators/lessees must comply with the diligent development, continued operation, and advance royalty requirements contained at §§ 3483.1 through 3483.6 of this title.

(3) Operators/lessees must comply with the LMU stipulations.

[47 FR 33179, July 30, 1982. Redesignated at 48 FR 41589-41594, Sept. 16, 1983, and amended at 51 FR 13229, Apr. 18, 1986; 62 FR 44370, Aug. 20, 1997]

EDITORIAL NOTE: At 64 FR 53536, Oct. 1, 1999, parts 3510, 3520, 3530, 3540, 3550, 3560, and 3570 and the heading "Group 3500 Management of Solid Minerals Other Than Coal" were removed, effective Nov. 1, 1999. The superseded text remaining in effect until Nov. 1, 1999, appears in the October 1, 1998, revision of title 43, parts 1000 to end.

PART 3500—LEASING OF SOLID MINERALS OTHER THAN COAL AND OIL SHALE

Subpart 3501—Leasing of Solid Minerals Other Than Coal and Oil Shale—General

Sec.

- 3501.1 What is the authority for this part?
- 3501.2 What is the scope of this part?
- 3501.5 What terms do I need to know to understand this part?
- 3501.10 What types of mineral use authorizations can I get under these rules?
- 3501.16 Does my permit or lease grant me an exclusive right to develop the lands covered by the permit or lease?
- 3501.17 Are there any general planning or environmental considerations that affect issuance of my permit or lease?
- 3501.20 If BLM approves my application for a use authorization under this part, when does it become effective?
- 3501.30 May I appeal BLM's decisions under this part?

Subpart 3502—Qualification Requirements

LEASE QUALIFICATIONS

- 3502.10 Who may hold permits and leases?
- 3502.13 May foreign citizens hold permits or leases?
- 3502.15 Are there any additional restrictions on holding leases or interests in leases?
- 3502.20 Will BLM issue a lease to me if I am not complying with the diligence requirements of the Mineral Leasing Act?

HOW TO SHOW LEASE QUALIFICATIONS

- 3502.25 Where do I file evidence that I am qualified to hold a permit or lease?
- 3502.26 May I supplement or update my qualifications statement?
- 3502.27 If I am an individual, what information must I give BLM in my qualifications statement?
- 3502.28 If I am an association or a partnership, what information must I give BLM in my qualifications statement?
- 3502.29 If I am a guardian or trustee for a trust holding on behalf of a beneficiary, what information must I give BLM in my qualifications statement?
- 3502.30 If I am a corporation, what information must I give BLM in my qualifications statement?

SPECIAL SITUATIONS AND ADDITIONAL CONCERNS

- 3502.33 If I represent an applicant as an attorney-in-fact, do I have to submit anything to BLM?
- 3502.34 What must I submit if there are other parties in interest?

- 3502.40 What happens if an applicant or successful bidder for a permit or lease dies before the permit or lease is issued?
- 3502.41 What happens to a permit or lease if the permittee or lessee dies?
- 3502.42 What happens if the heir is not qualified?

Subpart 3503—Areas Available for Leasing

AVAILABLE AREAS UNDER BLM MANAGEMENT

- 3503.10 Are all Federal lands available for leasing under this part?
- 3503.11 Are there any other areas in which I cannot get a permit or lease for the minerals covered by this part?
- 3503.12 For what areas may I receive a sulphur permit or lease?
- 3503.13 For what areas may I receive a hardrock mineral permit or lease?
- 3503.14 For what areas may I get a permit or lease for asphalt?
- 3503.15 May I lease the gold or silver reserved to the United States on land I hold under a private land claim in New Mexico?
- 3503.16 May I obtain permits or leases for sand and gravel in Nevada under the terms of this part?

AVAILABLE AREAS MANAGED BY OTHERS

- 3503.20 What if another Federal agency manages the lands I am interested in?
- 3503.21 What happens if the surface of the land I am interested in belongs to a non-Federal political subdivision or charitable organization?
- 3503.25 When may BLM issue permits and leases for Federal minerals underlying private surface?
- 3503.28 Does BLM incorporate any special requirements to protect the lands and resources?

LAND DESCRIPTIONS

- 3503.30 How should I describe surveyed lands or lands shown on protraction or amended protraction diagrams in states which are part of the Public Land Survey System?
- 3503.31 How should I describe lands in states which are part of the Public Land Survey System but have not been surveyed and are not shown on a protraction or amended protraction diagram?
- 3503.32 How should I describe acquired lands?
- 3503.33 Will BLM issue me a lease for unsurveyed lands?